ing their ballots—two, Rusheleau and Trimble, through illiteracy, the other, Pettapiece, by reason of blindness—and that their ballots were marked for them by the deputy returning officer without requiring them to make the declaration required by sec. 171 of the Consolidated Municipal Act. This objection is fully met by the decision of the Court of Appeal in *Re Ellis and the Town of Renfrew*, 23 O. L. R. 427, where it is held not to be a statutory condition precedent to the right of an illiterate person to vote that he should take the declaration required by sec. 171, that the omission to take the declaration is merely an irregularity in the mode of receiving the vote, and so covered by the curative clause of the statute sec. 204. The reasons for the conclusions arrived at by the majority of the Court in that case are set out in the judgments of Garrow and Magee, JJ., and deal with declarations both of illiterate persons and of those incapacitated through blindness.

Objection 3. To affect the general result of the vote it is necessary that at least four of the 483 votes allowed by the County Court Judge should be disallowed, or in other words that the total vote of 483 be reduced to 479 or less. The disallowance of the votes of Dalglish and McQuaig here objected to would not alter the general result. Notwithstanding this, however, I express the opinion that the objection cannot be sustained. The ground of objection is that the procedure prescribed by the Voters' List Act (7 Edw. VII., ch. 4), to be adopted in adding names to the list, was not followed. It is not contended that, apart from noncompliance with the terms of the Act in that respect, Dalglish and McQuaig were not persons who were then entitled to have their names on the list as voters. There names not appearing on the original list, an application was made to the Judge of the County Court to have them added, and they were so added by him, after which he certified to the revised list as required by section 21 of the Act. I do not think I am required to go behind this certificate and examine into the sufficiency of the various steps by which the judge arrived at his results. *Ryan* v. *Alliston* (1911), 18 O. W. R. 731; 7 Edw. VII., ch. 4, sec. 24.

The applicant on all grounds fails, and the motion is dismissed with costs, such costs to include only one counsel fee.